

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

_____	:	No. 2:12-md-02323-AB
IN RE: NATIONAL FOOTBALL	:	
LEAGUE PLAYERS' CONCUSSION	:	MDL No. 2323
INJURY LITIGATION	:	
_____	:	
THIS DOCUMENT RELATES TO:	:	
ALL ACTIONS	:	
_____	:	

**CO-LEAD CLASS COUNSEL'S MOTION FOR EXTENSION
TO RESPOND TO:**

- (1) **BLOOMBERG L.P. AND ESPN, INC.'S AMENDED MOTION TO INTERVENE
TO SEEK ACCESS TO DOCUMENTS AND INFORMATION;**
(2) **DUERSON'S SECOND MOTION REQUESTING
THE DISSEMINATION OF DATA; AND**
(3) **MOTION OF TWENTY-FOUR PLAINTIFFS TO GAIN ACCESS TO MEDICAL,
ACTUARIAL, AND ECONOMIC INFORMATION USED TO SUPPORT THE
SETTLEMENT PROPOSAL**

Co-Lead Class Counsel respectfully move to extend the time to respond to (1) Bloomberg L.P. and ESPN, Inc.'s Amended Motion To Intervene To Seek Access to Documents and Information [Doc. # 6101] ("Motion To Intervene"); (2) Duerson's Second Motion Requesting the Dissemination of Data [Doc. # 6102] ("Duerson Motion"); and (3) Motion of Twenty-Four Plaintiffs To Gain Access to Medical, Actuarial, and Economic Information Used To Support the Settlement Proposal [Doc. # 6115] ("Twenty-Four Plaintiffs' Motion"), to Tuesday, September 2, 2014. In support thereof, we assert as follows:

1. Co-Lead Class Counsel's response to the Motion To Intervene of Bloomberg L.P. and ESPN, Inc. (the "Proposed Intervenor") is currently due on August 11, 2014.

2. The response of the National Football League and NFL Properties LLC (the “NFL Defendants”) to the Proposed Intervenor’s Motion To Intervene also had been due on August 11, 2014.

3. However, on July 31, 2014, the NFL Defendants moved to extend the time to respond to the Motion To Intervene to September 1, 2014 [Doc. #6114].

4. This Court granted the NFL Defendants’ motion on August 6, 2014 and extended the response time to September 1, 2014 [Doc. #6123].¹

5. The Co-Lead Class Counsel’s response to the Duerson Motion is currently due on August 15, 2014.

6. The Duerson Motion specifically refers to and requests all of the documents and data requested in the Proposed Intervenor’s Motion To Intervene, plus additional data.

7. Co-Lead Class Counsel’s response to the Twenty-Four Plaintiffs’ Motion is currently due on August 18, 2014.

8. The Twenty-Four Plaintiffs’ Motion requests the identical documents and data requested by the Proposed Intervenor.

9. An extension until September 2, 2014, the same date on which the NFL Defendants’ Response to the Motion To Intervene is due, for the Co-Lead Class Counsel to respond to all of these motions, which pertain substantially to the same documents and data, will allow Co-Lead Class Counsel to fully evaluate the claims and arguments in all three motions, and to respond simultaneously, thereby streamlining the process for the convenience of the parties and the Court.

10. The extension will not delay these proceedings.

¹ Since September 1, 2014 is Labor Day, the NFL Defendants’ response is not due until September 2, 2014. Therefore, the undersigned move for an extension until September 2, 2014.

11. On August 7, 2014, Co-Lead Class Counsel conferred by telephone with counsel for Bloomberg L.P. and ESPN, Inc. regarding this motion and counsel stated that they oppose the extension.

12. On August 7, 2014, Co-Lead Class Counsel telephoned the office of Mr. Duerson's counsel, and spoke to a staff member, leaving a message regarding this motion. Additionally, on August 7, 2014, Co-Lead Class Counsel emailed Mr. Duerson's counsel regarding this motion. Co-Lead Class Counsel received a responsive email from Mr. Duerson's counsel this morning and counsel objects to the extension and takes the position that Co-Lead Class Counsel should provide the requested documents and data today.

13. On August 7, 2014, Co-Lead Class Counsel conferred by telephone with counsel for the Twenty-Four Plaintiffs. Counsel for the Twenty-Four Plaintiffs presented Co-Lead Class Counsel in an email with a precondition to his acquiescence to the extension to which we could not agree.

WHEREFORE, Co-Lead Class Counsel respectfully request that the Court grant this motion and extend the time for filing of Co-Lead Class Counsel's responses to the motions filed by the Proposed Intervenor, Duerson and the Twenty-Four Plaintiffs to September 2, 2014.

Dated: August 8, 2014

Respectfully submitted,
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Co-Lead Class Counsel

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing was served electronically via the Court's electronic filing system on the 8th day of August, 2014, upon all counsel of record.

Dated: August 8, 2014

/s/ Christopher A. Seeger

Christopher A. Seeger